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April 5, 2022

By ECF and Email:

CronanNYSDchambers@nysd.uscourts.gov

Honorable John P. Cronan, USDJ
United States District Court
Southern District of New York
500 Pearl St., Room 1320
New York, NY 10007-1312

Re: Scales v. New York Hotel and Motel Trades Council, Local 6
S.D.N.Y. No. 21-cv-08142 - JPC

Dear Judge Cronan:

I write on behalf of defendant Union in response to the Court's endorsed order dated April 4, 2022, Doc. 48.

On the afternoon of March 25, 2022, I advised Mr. Scales that, "the Union does not object to your request for an extension to 4/14/22." A copy of my email to Mr. Scales is attached. On March 29, 2022, I advised Mr. Scales that he needed to follow up with the Court on his request. Accordingly, the Union has no objection to the requested extension for the purpose of Mr. Scales submitting an amended pleading.

The Union respectfully reserves all its rights following timely filing of an amended complaint, including maintaining or revising its pending motion to dismiss.

Thank you for your consideration.

On April 4, 2022, the Court ordered Defendant to "file a letter explaining whether the defendant consents to the plaintiff amending his complaint." Dkt. 48. The Court construes this letter as providing written consent for Plaintiff to amend his Complaint. See Fed. R. Civ. P. 15(a)(2). Plaintiff shall file his amended complaint by April 14, 2022. The Court therefore denies without prejudice Defendant's motion to dismiss. See Dkt. 37. The Clerk of the Court is respectfully directed to close the motions pending at Docket Numbers 37 and 49.

Encl.

cc: Mr. William Scales (By ECF & email w/encl.)
Michael Bauman, Esq.
Jamie Maffeo, Esq.

Respectfully yours,

Barry N. Saltzman

SO ORDERED.

Date: April 11, 2022

New York, New York


JOHN P. CRONAN
United States District Judge

Barry N. Saltzman

From: Barry N. Saltzman
Sent: Friday, March 25, 2022 3:31 PM
To: 'william scales'
Cc: Michael Bauman; Jamie Maffeo
Subject: RE: Request for an extension of deadline - Scales v NYHTC

Dear Mr. Scales:

The Union does not object to your request for an extension to 4/14/22. For future reference, requests should be made before the deadline which you missed by 4 business days.

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-----Original Message-----

From: william scales [mailto:scales@live.com]
Sent: Friday, March 25, 2022 1:10 PM
To: Barry N. Saltzman <bsaltzman@pittalaw.com>
Subject: [EXTERNAL] Request for an extension of deadline

Good afternoon, I would like to request an extension of deadline. Im drafting up an amendment of complaint and need additional time. Thank you

Scales iPhone